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Attorneys for Defendant Patenaude & Felix, APC

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA - OAKLAND DIVISION

13 | EMELIA M. PASTERNAK,

Plaintiff,

V.

16 TRANS UNION, LLC, EXPERIAN
17 INFORMATION SOLUTIONS, INC.,
18 EQUIFAX INFORMATION
19 SERVICES, LLC, CAPITAL ONE
BANK, a national association, and
PATENAUDE & FELIX, APC, a law
firm.

Defendants.

1) CASE NO. 3:07-cv-04980 MJJ

The Hon. Claudia Wilken

**STIPULATION OF DISMISSAL
WITH PREJUDICE PURSUANT TO
RULE 41(A)(1) OF THE FEDERAL
RULES OF CIVIL PROCEDURE**

[Proposed] Order filed concurrently
herewith

25 Plaintiff Emelia Pasternak (“Plaintiff”), and DEFENDANT, Patenaude &
26 Felix, APC, (“Defendant”), by and through their counsel of record hereby enter into
27 this Stipulation of Dismissal With Prejudice with reference to the following recitals:

28 //

RECITALS

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2 A. On September 26, 2007 Plaintiff filed the instant lawsuit against
3 Defendant, amongst others.

4 B. Plaintiff and Defendant have now entered into a confidential settlement
5 agreement pursuant to which, among other things, the parties have agreed to dismiss
6 this action with prejudice.

7 Based on the foregoing, Plaintiff and Defendant stipulate and agree as follows:

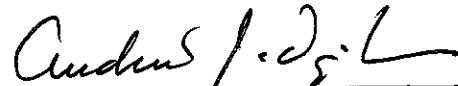
STIPULATION

10 1. The operative complaint against Defendant Patenaude & Felix, APC in
11 the above-captioned action is hereby dismissed with prejudice pursuant to Rule
12 41(a)(1) of the Federal Rules of Civil Procedure.

13 2. Each party shall bear his or its (as the case may be) own fees and costs
14 incurred in this adversary proceeding.

16 Kemnitzer Anderson Barron Ogilvie & Brewer, LLP

19 Dated: April 28, 2008


Andrew Jones Ogilvie, for
Plaintiff

24 LEWIS BRISBOIS BISGAARD & SMITH LLP

26 Dated: 4/30/08


Stephen H. Turner
Brian Sloane
Attorneys for Defendant

1 **CERTIFICATE OF SERVICE**

2 I certify that on the 8th day of May, 2008, I electronically transmitted the
3 foregoing document to the Clerk's office using the CM/ECF System for filing and
4 transmittal of a Notice of Electronic Filing to the following CM/ECF registrants:

5 Andrew J. Ogilvie, Esq.
6 Attorney for Plaintiff Emelia M. Pasternak

7 Thomas P. Quinn, Esq.
8 Attorney for Defendant Equifax

9 Donald E. Bradley, Esq.
10 Attorney for Defendant Trans Union

11 David L. Wallach, Esq.
12 Attorney for Defendant Experian

13 Veronica Kuiumdjian, Esq.
14 Attorney for Defendant Capital One Bank

15 By: /s/ Stephen H. Turner

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12 UNITED STATES DISTRICT COURT

13

14 NORTHERN DISTRICT OF CALIFORNIA - OAKLAND DIVISION

15

16 EMELIA M. PASTERNAK,

17

18 Plaintiff,

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v.

20

21 TRANS UNION, LLC, EXPERIAN
22 INFORMATION SOLUTIONS, INC.,
23 EQUIFAX INFORMATION
24 SERVICES, LLC, CAPITAL ONE
25 BANK, a national association, and
26 PATENAUME & FELIX, APC, a law
27 firm,

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Defendants.

) CASE NO. 3:07-cv-04980 MJJ

) The Hon. Claudia Wilken

) **[PROPOSED] ORDER RE:
28 STIPULATED DISMISSAL WITH
29 PREJUDICE**

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39 Based on the above Stipulation, this Court hereby orders Plaintiff's Complaint
40 against Defendant, Patenaude & Felix, APC, is to be and herewith is dismissed
41 WITH prejudice in accordance with the terms of their settlement agreement.

1 **IT IS SO ORDERED**

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5 Dated: _____

6 By: _____
7 District Court Judge
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